



## STATE BOARD OF LAND COMMISSIONERS

Dirk Kempthorne, Governor and President of the Board

Ben Ysursa, Secretary of State

Lawrence G. Wasden, Attorney General

Keith L. Johnson, State Controller

Marilyn Howard, Superintendent of Public Instruction

Winston A Wiggins, Secretary to the Board

### Summary Minutes Regular Land Board Meeting November 15, 2005

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, November 15, 2005 in Boise, Idaho. The meeting began at 9:05 a.m. in the second floor courtroom of the Borah Post Office building. The Honorable Dirk Kempthorne presided. The following members were present:

Honorable Secretary of State Ben Ysursa

Honorable Attorney General Lawrence G. Wasden (via conference phone)

Honorable State Controller Keith L. Johnson

Secretary to the Board Winston A Wiggins

Superintendent Howard was absent for this meeting.

### **ITEM NOT ON THE AGENDA**

The meeting began with Director Wiggins introducing new IDL employees to the Board.

1. Chad Ramsay, Pend Oreille Supervisory Area
2. Alicia Ewing, Priest Lake Supervisory Area
3. Josh Harvey, St. Joe Supervisory Area
4. Jim Newton, Fire Management Bureau, Coeur d'Alene Staff Office
5. Ken Ockfen, Forestry Assistance Bureau, Coeur d'Alene Staff Office
6. John Spencer, Shop, Coeur d'Alene Staff Office
7. Shane O'Shea, Mica Supervisory Area
8. Jason Svancara, Ponderosa Supervisory Area
9. Francine Gonzales, Fiscal Section, Director's Office, Boise
10. Carol Spoor, Fiscal Section, Director's Office, Boise

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- **CONSENT**

Director Wiggins provided background information on the Consent Agenda items.

A motion was made by Secretary of State Ysursa to approve of the Consent Agenda Items 1 through 8, excluding Item 3. Item 3 was held for later discussion. Controller Johnson seconded the motion. The motion carried on a vote of 4-0, with Superintendent Howard being absent for this vote.

- **CONSENT**

1. **Director's Report – approved**

- A. Interest Rate on Department Transactions – October 2005
- B. Bureau of Real Estate, Land Sale Section, Official Transactions – September 2005
- C. Bureau of Real Estate, Easement Section, Official Transactions – September 2005
- D. Bureau of Surface and Mineral Resources, Official Transactions – September 2005
- E. Timber Sale Official Transactions – September 24, 2005 through October 21, 2005
- F. Timber Sale Activity Report
- G. Legal Matter Summary

2. **Approve Timber Sales – Staffed by Bob Helmer, Chief, Bureau of Forest Management – approved**

A. River Camp	CR-10-0354	3,850	MBF	Bonner
B. Mica Pole	CR-41-0008	1,795	MBF	Latah
		319,850	LF	
C. Old 95	CR-43-4006	1,200	MBF	Idaho

3. **Approval Request for Disclaimer of Interest to the City of Bonners Ferry for Accretion Land Adjacent to the Kootenai River in Boundary County – Staffed by Perry Whittaker, Chief Bureau of Real Estate – **see Motion****

**DEPARTMENT RECOMMENDATION:** Direct the Department to issue a disclaimer of interest for this parcel of land totaling 1.035 acres of the former bed of the Kootenai River and to require the City of Bonners Ferry to pay a fee of \$600.00 to the Department of Lands for this transaction.

**BOARD ACTION:** A motion was made by Secretary of State Ysursa that the Board grant conditional approval as an indication to the Department of Transportation and the City of Bonners Ferry that the intention of the Board is to move ahead. The Department will immediately notify Mr. Robert Moir that he has until a date certain, which would be prior to the briefing meeting for the December meeting, to provide information to support his claim. If the Department does not receive the information then the Board action would be confirmed in December. Controller Johnson seconded the motion. The motion carried on a vote of 4-0, with Superintendent Howard being absent for this vote.

4. **Approval Request for Disclaimer of Interest to Donna Gabica for Accretion Land Adjacent to the Boise River in Canyon County** – Staffed by Perry Whittaker, Chief Bureau of Real Estate – **approved**

*DEPARTMENT RECOMMENDATION:* Direct the Department to issue a disclaimer of interest for three parcels totaling 11.70 acres of the former bed of the Boise River and to require Donna Gabica to pay a fee of \$600.00 to the Department of Lands for this transaction.

*BOARD ACTION:* Approved.

5. **Approval Request of Easement to Idaho Power Company** – Staffed by Perry Whittaker, Chief Bureau of Real Estate – **approved**

*DEPARTMENT RECOMMENDATION:* Direct the Department to complete the final road easement with Idaho Power Company.

*BOARD ACTION:* Approved.

6. **Approval Request for Disclaimer of Interest to RiverWood LLC for Accretion Land Adjacent to the Boise River in Ada County** – Staffed by Perry Whittaker, Chief Bureau of Real Estate – **approved**

*DEPARTMENT RECOMMENDATION:* Direct the Department to issue a disclaimer of interest for one (1) parcel totaling 0.58 acre of the former bed of the Boise River and to require RiverWood L.L.C. to pay a fee of \$600.00 to the Department of Lands for this transaction.

*BOARD ACTION:* Approved.

7. **Request for Approval to Dispose of Surplus Property Owned by the Idaho State Library to the Idaho Transportation Department in Ada County** – Staffed by Kit Clark, Deputy Attorney General, Contracts Division, Office of the Attorney General – **approved**

*DEPARTMENT RECOMMENDATION:* Direct the Department to coordinate the transfer of the storage building from ISL to ITD.

*BOARD ACTION:* Approved.

8. **Minutes** – **approved**

A. Regular Land Board Meeting – October 11, 2005

- **REGULAR**

**9. Endowment Fund Investment Board** – *Presented by Larry Johnson, Manager of Investments, EFIB* – **No action taken on this agenda item.**

- A. Endowment Fund Investment Board Monthly Manager's Report
- B. Endowment Fund Reform Review Task Force – Progress Update
- C. Fiscal Year 2005 Audit Summary – *Parker Woodall, Chairman, EFIB Audit Committee*
- D. Joint Meeting

**10. Recommendations of the Forest Practices Act Advisory Committee (FPAAC) for Amendments to Forest Practice Act Administrative Rules** – *Presented by Ron Litz, Assistant Director, Forestry and Fire*

*DEPARTMENT RECOMMENDATION:* Adopt the proposed as final rules.

*BOARD ACTION:* A motion was made by Secretary of State Ysursa to move the Department's recommendation. Attorney General Wasden seconded the motion. The motion carried on a vote of 4-0, with Superintendent Howard being absent for this vote.

**11. Final Approval Proposed Rule Amending IDAPA 20.03.02, Rules Governing Exploration and Surface Mining in Idaho** – *Presented by Denise Mills, Assistant Director, Lands, Minerals, Range*

*DEPARTMENT RECOMMENDATION:* Adopt the pending rule and direct the Department to submit the pending rule to the Office of Administrative Rules no later than November 16, 2005.

*BOARD ACTION:* A motion was made by Attorney General Wasden to move adoption of the Department's recommendation. Secretary of State Ysursa seconded the motion. The motion carried on a vote of 4-0, with Superintendent Howard being absent for this vote.

At 9:58 a.m. a motion was made by Controller Johnson to resolve into Executive Session. Secretary of State Ysursa seconded the motion. The motion carried on a vote of 4-0, with Dr. Howard being absent for this vote.

- **EXECUTIVE SESSION**

- A. To Consider Records that are Exempt from Disclosure [[Idaho Code § 67-2345\(1\)\(d\)](#)]
- B. To Consider and Advise Its Legal Representatives in Pending Litigation or Where There is a General Public Awareness of Probable Litigation [[Idaho Code § 67-2345\(1\)\(f\)](#)]
- C. To Consider Personnel Matters [[Idaho Code § 67-2345\(1\)\(b\)](#)]
- D. To Consider Acquiring an Interest in Real Property Which is Not Owned by a Public Agency [[Idaho Code § 67-2345\(1\)\(c\)](#)]

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At 10:20 a.m. the Board resolved into Regular Session. No actions were taken by the Board during the Executive Session.

There being no further business to come before the Board, upon unanimous consent of the members present the meeting adjourned at 10:20 a.m.